***THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY***

**W.P.NO.20311 OF 2005**

**Dated 30-09-2005**

Between:

Smt.Sreekantam Sundaramma

Prakasam Districn and anothert.

…Petitioners

A n d

Andhra Bank rep. by its Chairman and

Managing Director, Hyderabad,

and another.

…Respondents

***THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY***

**W.P.NO.20311 OF 2005**

**ORDER:**

The petitioners are the mother and sister, respectively, of late Raghurama Rao, who was employed as Clerk in the Andhra Bank. He died on 17-03-2003, while in service. The petitioners made a representation, dated 26-04-2003, to the respondents, with a request to provide employment to the 2nd petitioner, on

compassionate grounds. The 2nd respondent addressed a letter dated 12-01-2004, stating that the representation of the petitioners has been examined, in detail, by the competent authority, and that it was not favourably considered. The petitioners challenge the action of the respondents.

Ms. Aruna, learned counsel for the petitioners submits that the respondents have framed a scheme, for providing employment on compassionate grounds, for the dependants of the deceased employees, and that the 2nd respondent did not indicate any reason for rejecting the application made by the petitioners.
She contends that, in case the respondents found that the case of the petitioners does not fit into the scheme, it was obligatory on their part to indicate the reasons, while rejecting the application.

Learned Standing Counsel for the respondents, on the other hand, submits that the employment on compassionate grounds, cannot be claimed as of right, and the application of the petitioners was rejected, on finding that it does not accord with the scheme.

It is not in dispute that the 1st respondent framed a scheme, for providing employment to the dependants of the deceased employees. In the instant case, such a relief is claimed for the 2nd petitioner, on account of the death of her brother, who was employed as a Clerk with the respondents. The impugned letter dated 12-01-2004, does not indicate any reason, as to why the request of the petitioners was not acceded to. Rejection of such a request, without giving reasons, cannot be said to be a proper exercise of power, conferred under the scheme. While the discretion always rests with the respondents, to grant the relief under the scheme, they are under obligation to state the reasons, in support of their conclusions.

On this short ground, the impugned letter of the 2nd respondent is set aside, and the respondents are directed to consider the application of the petitioners, afresh. In case, they are not inclined to accede to the request of the petitioners, they shall intimate the reasons therefor, to the petitioners. This exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs.

**L. NARASIMHA REDDY, J.**

**Dt.30-09-2005.**

***KO***